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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/477,477	01/04/2000	JULIO ESTRADA	L09-99-048	9275

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EXAMINER
DETWILER, BRIAN J

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 07/17/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

8126

Office Action Summary	Application No. 09/477,477	Applicant(s) ESTRADA ET AL.	
	Examiner Brian J Detwiler	Art Unit 2173	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

4a) Of the above claim(s) *3 and 4* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2 and 5-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 October 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *4* .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1, 2, and 5-13, drawn to Internet caching, classified in class 709, subclass 219.

II. Claims 3 and 4, drawn to graphical user interface elements, classified in class 345, subclass 764.

During a telephone conversation with Shelley Beckstrand on Thursday, June 13, 2002 a provisional election was made with traverse to prosecute the invention of Group I, claims 1, 2, and 5-13. Affirmation of this election must be made by applicant in replying to this Office action. Claims 3 and 4 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "said parameters" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 2, and 5-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,389,460 (Stewart et al) and U.S. Patent No. 6,253,216 (Sutcliffe et al).

Referring to claim 1, Stewart discloses in column 3, lines 61-67 and column 4, lines 1-20 an invention for storing and retrieving objects in a rapid and efficient manner. A part of this invention is a proxy system, which functions to store the objects in a storage device. Stewart suggests in column 3, lines 61-63 that the objects can in fact be images stored in an image store. Accordingly, the proxy system illustrated as Proxy Server [102] in Figure 1 serves as a graphic server for storing and distributing image files to requesting browsers. Stewart further discloses in column 4, lines 6-20 a database for storing object information such as an object identifier, state information, and permission information. These pieces of information are parameters of the object/image. In Figure 2, Stewart illustrates a proxy cache [208] as a part of the proxy server [202]. Figure 3 shows the steps of a browser requesting an image [310] and delivering the image to the browser [314]. In column 19, lines 62-67 and column 20, lines 1-11, Stewart discloses the logic for handling a request for an image not located in the cache. Stewart explains that when the image does not exist, the system searches for the same image of a different type. If that fails, the image is retrieved from a remote content server. This differs from the claimed invention in that it fails to generate the image from its parameters stored in the database when the image is

not found in the cache. Sutcliffe, however, discloses an invention wherein users can create personal web pages using their browser. Specifically, Sutcliffe discloses in column 2, lines 40-53 receiving text and graphics from a user, storing the parameters in a database within a server, and later generating the personal web page from the parameters stored in the database. Therefore, when the image was not found in the cache, it would have been obvious to one of ordinary skill in the art at the time the invention was made to improve Stewart's invention by generating an image from its database parameters, as taught by Sutcliffe, instead of going to a remote content server to search for the image. This would eliminate the involvement of additional servers and network traffic, thus improving the efficiency of Stewart's system.

Referring to claim 2, as mentioned above, Sutcliffe discloses a database within a server for storing personal web page parameters. When a user wishes to view a personal web page, a plurality of screen display images are generated from the parameters stored in the database.

Referring to claims 5 and 11-13, Stewart discloses in Figure 2 a proxy cache [208] for storing cached images. Stewart further discloses in column 16, lines 49-67 and column 17, lines 1-20 a hashing system for establishing a directory structure for the cached images. Column 18, lines 57-67, column 19, lines 1-67, and column 20, lines 1-11 detail the process of receiving a graphic request locator, hashing the request to form a string, locating the cached image, and serving the image to a browser. Stewart also addresses in this section the logic for handling a request for an image not located in the cache. Stewart explains that when the image does not exist, the system searches for the same image of a different type. If that fails, the image is retrieved from a remote content server. This differs from the claimed invention in that it fails to parse the graphic request locator for graphic parameters to construct a new image when the

image is not found in the cache. Sutcliffe, however, discloses in column 2, lines 40-53 storing image parameters in a database within a server and later, upon request, generating a personal web page from the parameters stored in the database. Therefore, after the request has been hashed and the image was not found in the cache, it would have been obvious to one of ordinary skill in the art at the time the invention was made to improve Stewart's invention by generating an image from its database parameters, as taught by Sutcliffe, instead of going to a remote content server to search for the image. As mentioned above, this would eliminate the involvement of additional servers and network traffic, thus improving the efficiency of Stewart's system.

Referring to claim 6, Stewart's and Sutcliffe's inventions have been combined above to establish a system wherein a graphic request locator is hashed to search for an image within a cache. If the image is not found, the system generates a new image from the image parameters stored in a database. It has not been established, however, that the graphic request locator is hashed to find the location of the parameters. Based on Stewart's use of hashing to locate an image, it would have been obvious to one of ordinary skill in the art at the time the invention was made to hash the same graphic request locator to determine the location of the graphic parameters within the database. This would eliminate the need to provide additional information containing the parameter's whereabouts, thus improving the system's efficiency.

Referring to claims 7-10, Sutcliffe discloses in column 2, lines 44-53 that the system stores graphic parameters representing layout, text, and graphics and uses those parameters to reconstruct a personal web page. Sutcliffe further discloses in column 9, lines 1-8 that users can further assign background objects to their web pages. Sutcliffe does not specifically cite

utilizing a font object when reconstructing the page, but inherently, a font object is associated with any text displayed on a browser. Additionally, Sutcliffe does not specifically cite applying the graphic effects mentioned in claims 8-10. However, Sutcliffe explains in column 9, lines 16-17 that images in his invention may comply with any standards known in the art. Furthermore, as supported by U.S. Patent No. 6,396,500, it is notoriously well known in the state of the art that web pages can display an abundance of graphics and graphic effects. The examiner takes OFFICIAL NOTICE of this teaching. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include any or all of the claimed graphic effects in the personal web page system disclosed by Sutcliffe so as to conform with the current standards of web publishing.

Conclusion

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach graphic effects and web page caching.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J Detwiler whose telephone number is 703-305-3986. The examiner can normally be reached on Mon-Thu 8-5:30 and alternating Fridays 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Cabeca can be reached on 703-308-3116. The fax phone numbers for the

organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

BJD
bjd
July 11, 2002

JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER